

REMARKS/ARGUMENTS

Claims 1 through 10, 12, 13, 15 through 19, and 21 through 23 remain in this application. Claim 20 has been canceled without prejudice or disclaimer. Claims 1, 10, 12 and 23 have been amended to include certain limitations of claim 20.

Claims 1 through 4, 6 through 10, 12, 13, 15 through 19, 22 and 23 are rejected under 35 U.S.C. §103(a) as being anticipated by U.S. Patent No. 5,786,846 to Hiroaki ("Hiroaki patent") in view of U.S. Patent No. 5,999,207 to Rodriguez, et al. ("Rodriguez, et al."). Claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Hiroaki patent in view of the Rodriguez, et al. patent and U.S. Patent Application Publication No. 2002/0118875 to Wilensky ("Wilensky publication"). Claim 21 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Hiroaki patent in view of the Rodriguez, et al. patent and U.S. Patent No. 6,282,206 to Hindus, et al. ("Hindus, et al. patent").

Claim 1 as amended provides, *inter alia*, generating an abstract representation of the person of the first image in the form of an icon and displaying the abstract representation overlaying the second image on a display of the communication device, and claim 10 as amended provides, *inter alia*, generating an abstract representation of the user of the captured image in the form of an icon and displaying the abstract representation overlaying the second image on a display of the two-way communication device. Also, claim 12 as amended provides, *inter alia*, an abstract representation generator for generating an abstract representation of the person of the first image in the form of an icon and a video processor for positioning the abstract

representation overlaying the second image in an image to be displayed to the person, and claim 23 as amended provides, *inter alia*, an abstract representation generator for generating an abstract representation of the user of the captured image in the form of an icon and a display for displaying the composite image, arranged by the video processor, to the user. Support for the above recitation is provided by claim 20, now canceled.

In contrast, the Hiroaki patent, the Rodriguez, et al. patent, the Wilensky publication and the Hindus, et al. patent do not describe or suggest generating an abstract representation of the person of the first image in the form of an icon and displaying the abstract representation at the communication device (or, in the case of claim 12, positioning the abstract representation in an image to be displayed to the person), as required by amended claims 1, 10, 12 and 23. Therefore, claims 1, 10, 12 and 23 distinguish patentably from the Hiroaki patent, the Wilensky publication, the Hindus, et al. patent and any combination of these references.

In rejecting canceled claim 20 and pending claim 21, the above Office Action states that the Hiroaki patent and the Rodriguez, et al. patent do not disclose that the abstract representation comprises an icon or geometric, but further asserts that the Hindus, et al. patent describes the same at col. 10, lines 15 through 29, and FIG. 1, element 44. However, the Hindus, et al. patent discloses a low bandwidth image representing a *remote* person or user, and does not describe or suggest generating an icon representing the person or user of the first image, as required by amended claims 1, 10, 12 and 23. As stated at col. 10, lines 20 through 25, the camera of the first device captures the sender's image and creates the representational image, which is transmitted to the second device. Also, col. 7, line 60, through col. 8, line 22, disclose that the

image displayed by the first device corresponds to the image captured by the camera of the second device, and the image displayed by the second device corresponds to the image captured by the camera of the first device. The Hindus, et al. patent does not describe or suggest displaying an icon representing a user of a particular device based on an image captured by that same device, as represented by amended claims 1, 10, 12 and 23.

Claims 2 through 9, 13, 15 through 19, 21 and 22 depend from and include all limitations of independent claims 1, 10, 12 and 23 as amended. Therefore, claims 2 through 9, 13, 15 through 19, 21 and 22 distinguish patentably from the Hiroaki patent, the Rodriguez, et al. patent, the Wilensky publication, the Hindus, et al. patent and any combination of these references for the reasons stated above for claims 1, 10, 12 and 23.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. §103(a) rejections of claims 1 through 10, 12, 13, 15 through 19, and 21 through 23 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
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